

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LAWRENCE JOHNSON,	§
	§ No. 548, 2010
Defendant Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr. ID No. 9506017339
	§
Plaintiff Below-	§
Appellee.	§

Submitted: September 3, 2010  
Decided: September 22, 2010

Before **STEELE**, Chief Justice, **JACOBS** and **RIDGELY**, Justices.

**ORDER**

This 22<sup>nd</sup> day of September 2010, it appears to the Court that:

(1) The defendant-appellant, Lawrence Johnson, filed a notice of appeal in this Court on August 25, 2010. The notice of appeal reflects that Johnson is attempting to appeal from the report and recommendation of a Superior Court Commissioner in a criminal case.

(2) On August 25, 2010, the Clerk of the Court sent a notice to Johnson to show cause why his appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for this Court's lack of jurisdiction to consider an appeal directly from a decision of a Superior Court Commissioner. In his

response to the notice to show cause, Johnson requests this Court to consider his appeal in the interest of justice.

(3) This Court does not have jurisdiction to review an interlocutory order in a criminal case,<sup>1</sup> including a decision of a Superior Court Commissioner.<sup>2</sup> Johnson's appeal must, therefore, be dismissed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that the within appeal is DISMISSED.

BY THE COURT:

/s/Henry duPont Ridgely  
Justice

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<sup>1</sup> Del. Const. art. IV, §11(1)(b); *State v. Cooley*, 430 A.2d 789, 791 (Del. 1981).

<sup>2</sup> Super. Ct. Crim. R. 62.